

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**WESTFIELD INSURANCE  
COMPANY,**  
a foreign corporation,

Plaintiff/Counter-Defendant,

v

Case No. 2:12-cv-15373

Hon. Victoria A. Roberts

Magistrate Judge R. Steven Whalen

**ENTERPRISE 522, LLC,** a Michigan  
limited liability company,

Defendant/Counter-Plaintiff,

and

**KEARNS INSURANCE AGENCY,  
INC.,** a Michigan corporation,

Intervenor.

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**ORDER**

This matter came before the Court upon the joint motion of the parties pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, asking this Court to indicate its willingness to accept the limited remand from the Court of Appeals and proceed to grant a joint motion to vacate this Court's July 29, 2014 Order and Judgment.

Having considered the parties' joint motion and the entire record, the Court is of the opinion, and so finds, that if the case is remanded to it by the Court of Appeals for the Sixth Circuit, it will grant the relief requested.

IT IS, THEREFORE, ORDERED BY THE COURT that if this case is remanded to the District Court by the Court of Appeals, this Court will grant the parties' joint motion pursuant to Rule 62.1 of the Federal Rules of Civil Procedure and proceed to grant a joint motion to vacate this Court's July 29, 2014 Order and Judgment.

ENTERED this 27 th day of January, 2015.

**S/Victoria A. Roberts**  
U.S. District Court Judge